

REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections contained in the final Office Action of May 20, 2004 is respectfully requested.

In the outstanding final Office Action, the Examiner rejected claims 10, 13-16, and 18-24 under 35 USC § 103(a) as being unpatentable over the Fuller reference (USP 1,071,042) in view of the Hale reference (USP 3,862,444). In response, the Applicants submitted an Amendment After Final on September 17, 2004, in which independent claims 10 and 22 were amended to clarify the present invention. However, on October 4, 2004, the Examiner issued an Advisory Action indicating that the Amendment After Final did not overcome the prior art, and the rejections originally set forth in the final Office Action of May 20, 2004 were maintained.

The present Amendment has been submitted in order to further clarify the subject matter recited in pending independent claims 10, 15, and 22. In particular, each of the pending independent claims now recites that the motors are connected to a common power circuit, and that the common power circuit can raise a rotational speed of each of the motors from an initial rotational speed of zero to a respective rated rotational speed, wherein the rated rotational speed of each of the motors is based on the number of poles and is different than the rated rotational speed of a remainder of the motors.

The feature incorporated into each of the independent claims as explained above is described on page 8, line 14 through page 9, line 23 of the original specification. In particular, this arrangement allows a turbo-molecular pump employing the compound motor arrangement to evacuate a target vessel at atmospheric pressure without the requirement of using a pre-evacuation pump, even if the vessel is at atmospheric pressure. Consequently, a compact, simplified, and cost-efficient evacuation system can be achieved.

In the Advisory Action of October 4, 2004, the Examiner indicated that the remarks submitted with the Amendment filed September 17, 2004 were not persuasive because the Fuller reference teaches the feature added to the claims in the Amendment of September 17, 2004. In this regard, it appears that the Examiner is asserting that the Hale reference and the Fuller reference in combination disclose all of the features recited in the pending claims of this application; therefore,

there is motivation to combine the references. However, the Applicants strongly disagree with the Examiner's assertion, and submit that there are specific reasons why the Fuller reference cannot be combined with the Hale reference as suggested by the Examiner (e.g., that the Hale reference actually *teaches away* from arranging rotating members so that they rotate *independently*). Because the Examiner still has not specifically addressed these arguments in the Advisory Action, the Applicants maintain that the prior art rejections as set forth in the final Office Action of May 20, 2004 are improper for the reasons set forth in the Amendment filed September 17, 2004.

In addition to those reasons, it is submitted that the Fuller reference and the Hale reference also can not be combined to teach a common power circuit that is operable to raise a rotational speed of each of the motors from an initial rotational speed of zero to a respective rated rotational speed, in which the rated rotational speed of each of the motors is based on the number of poles and is different from the rated rotational speed of a remainder of the motors, in combination with the other features recited in the independent claims. Therefore, one of ordinary skill in the art would not be motivated by the Hale reference to modify the Fuller reference so as to obtain the invention recited in amended independent claims 10, 15, and 22. Accordingly, it is respectfully submitted that amended independent claims 10, 15, and 22, and the claims that depend therefrom, are clearly patentable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. However, if the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact the Applicant's undersigned representative.

Respectfully submitted,

Akiko TAIRA et al.

By: 

W. Douglas Hahm

Registration No. 44,142

Attorney for Applicants

WDH/gtg
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
October 20, 2004